



MEETING MINUTES
BOARD OF SUPERVISORS, COUNTY OF MONO
STATE OF CALIFORNIA

Regular Meetings: The
First, Second, and Third
Tuesday of each month

Regular Meeting

County Courthouse,
Bridgeport, CA 93517

November 18, 2008

9:00 AM Meeting Called to Order by Chairperson Supervisor Vikki Bauer

Pledge of Allegiance led by Supervisor Tom Farnetti

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke

BOARD MEMBER REPORTS

Farnetti: Franchise fee arrangement ; Dept. Head meeting - good meeting; LtC meeting –update on enhanced 911 system – GIS update also; Cal Trans gave report on their activities (Black Rock project);

Hunt: Yosemite Natl Park Day; Interagency visitors center meeting (Bishop); ; Upcoming applications for funding will be considered at Conservancy Board Meeting to further projects; Sierra Solutions Conference put on by Sierra Business Council; Horizon Air flight meeting; all on target. Eastern Sierra Transit Authority meeting ; First Five had public Hearing – need more preparation for kids entering Kindergarten; Mono County Drug and Alcohol Mental Health Advisory Board meeting; Recruiting for a lot of positions on this Board; Suggested Eastern Sierra Conservancy Projects discussed. Town/County Liaison meeting

Reid: Antelope Valley reassuring people that the lighting problem would be addressed; Could be scheduled for surgery soon on knee; Ann Higgins called re gate that is locked to Lundy Lake she wants unlocked so that it doesn't add another 6 miles onto her walk. Told her that Board wouldn't rescind this; told her to call lodge owner and ask for a key. Would like to adjourn meeting in honor of Rich Boardman.

Hazard: IMMMA Board meeting; Met with CAO and PW staff and went to Tom's PI where many topics came up; Conf. call with Allen Berry re contract for Sunny Slopes internet service. Not quite there yet but almost; Chalfant office hours – number of people asking about the school bond issue; playground equipment was removed and a citizen wants to have the old equipment; CAO says some is in too poor of condition except swing from Lee Vining; everything else is not serviceable. Will be included in surplus sale; Crowley Lake Office Hours; meeting with tribal office in Benton re Animal Control issues. Interested in talking to county re MOU for animal control services.

Bauer: PILT \$ 400,000 to our county .

COUNTY ADMINISTRATIVE OFFICE

- 1) CAO Report regarding Board Assignments (David Wilbrecht)
ACTION: Receive brief oral report by County Administrative Officer (CAO) regarding his activities.

Status needs for dept. directors
Special events ordinances
SRS funding H1424
Negotiations with various bargaining groups (Paramedics)
Sierra Center Mall is progressing
Mega Byte System
GEMS System
Met with Grand Jury
Measure R assistance
Met with George Milovich re Ag building
Winter Road maintenance, etc. Toms Place
Employee recognition

- 2) APPROVAL OF MINUTES

M08-221 A. Minutes of the regular meeting held October 14, 2008. Approved
Hazard/Reid 3-0 Abstain: Hunt and Bauer

M08-222 B. Minutes of the regular meeting held October 21, 2008. Approved
Hunt/Farnetti 4-0 Abstain: Reid

M08-223 C. Minutes of the special meeting held on October 21, 2008. Approved
Hunt/Hazard 4-0 Abstain: Reid

M08-224 D. Minutes of the regular meeting held November 4, 2008. Approved
Farnetti/Hunt 4-0 Abstain: Reid

CLOSED SESSION

Enter 9:05 a.m. Exit 10:10 a.m.

10:10 to 10:15 a.m.

COUNTY COUNSEL

- 3a) Conference with Legal Counsel - CONFERENCE WITH LEGAL COUNSEL –
ANTICIPATED LITIGATION. Initiation of litigation pursuant to subdivision (c) of
Government Code section 54956.9. Number of potential cases: one.

COUNTY ADMINISTRATIVE OFFICE

- 4a) Employee Performance Evaluation - PUBLIC EMPLOYEE PERFORMANCE
EVALUATION. Government Code section 54957. Title: County Administrator.

COUNTY COUNSEL

- 5a) Employee Performance Evaluation - PUBLIC EMPLOYEE PERFORMANCE
EVALUATION. Government Code section 54957. Title: County Counsel.

HUMAN RESOURCES

- 6a) Labor Negotiations - CONFERENCE WITH LABOR NEGOTIATORS.
Government Code Section 54957.6. Agency designated representative(s):
David Willbrecht, Marshall Rudolph, Brian Muir, & Robert Garret.
Unrepresented employee(s): All.
- 6b) Labor Negotiations - CONFERENCE WITH LABOR NEGOTIATORS.
Government Code Section 54957.6. Agency designated representative(s):
David Willbrecht, Marshall Rudolph, Brian Muir, Mark Mikulich, & Robert
Garret. Employee Organization(s): Mono County Paramedic Rescue
Association.
- 6c) Labor Negotiations - CONFERENCE WITH LABOR NEGOTIATORS.
Government Code Section 54957.6. Agency designated representative(s):
David Willbrecht, Marshall Rudolph, Brian Muir, Rick Scholl, & Robert Garret.
Employee Organization(s): Mono County Deputy Sheriffs' Association.
- 6d) Labor Negotiations - CONFERENCE WITH LABOR NEGOTIATORS.
Government Code Section 54957.6. Agency designated representative(s):
David Willbrecht, Marshall Rudolph, Brian Muir, Rick Scholl, & Robert Garret.
Employee Organization(s): Mono County Public Safety Officers' Association.

DEPARTMENT REPORTS/EMERGING ISSUES

Brian Muir, Finance Director: Mega Byte Contract approved and offices have met and established some milestones...go live date Feb. 27, 2009. Two responses to needs assessment RFP – contract coming
Lynda Roberts, Clerk: Assistant Clerk has been hired, Linda Romero has accepted the position. Contract will be coming in next meeting or so.

Rick McManis: Eric Drell property re June Lake General Store – new stairway will be installed – permit application will be submitted; other unpermitted construction is a concern – northern county complaint re construction- there are people who just move forward without permit – thinking about using an “amnesty program” extended to people who have done work with no permit – issue a permit with no penalties, etc. need to advertise, get message out to people – Board needs to consider this – it will be placed on the agenda at a later date by Building Official

New software in building department – will have capacity to allow digital permitting – offers opportunity to look at issuance of permits, etc. Should go live first of year; fee waiver for fire districts re remodel work on fire department properties – Board will consider this and Building Official will bring presentation before the Board.

Sarah McCahill: present with Mono County Tourism Commission during last meeting of year – report on accomplishments and programs, etc. promotions, etc. described and increases in public interest on web site, etc. 2800 people signed up for “get away” contest; Open House held on Oct. 28 with Tourism Partners; Feedback and planning session with partners; open house had over 40 people attend – members of Tourism Commission are recognized.

Evan Nikirk, Public Works Director: Update of Public Works vacancies and report on offers of employment, etc. Head Custodian position has been offered to Nubia Dunn; Parks and Facilities Supervisor job description has been completed and it is being advertised “in house; maintenance positions are being advertised and interview panels are being set up. Should be able to make offers by end of year. Kim Durr retires this month – luncheon will be held at Memorial Hall tomorrow.

Scheduled with planning to go out to RPACs with information on PW and Planning departments. All communities should be discussed at each location so that everyone knows what all are doing.

Dan Lyster: Attended Walker River Stake Holders meeting – went over projects, information, etc. Met with several re trying to draw in County in building golf course in Mammoth? Centered around South County recreation project. Reid comments on Walker Stakeholders member that passed away. Description of logowear out of Walker. Reid

wants logo information put on website – Lyster will get information out.

Evan Nikirk: Jeff has been working with employees re t-shirts for employees of Public Works getting t-shirts to wear while working.

Frances Rich from Walker: report on accident at Walker Community Center in back where Erma Thomas fell in an unlighted area and damaged her face. Wants to thank Supervisor Reid for the lighting that was installed and for the work that is being done to fix this problem. Photos are passed among board members. Through Public Works there were portable lights and work had been done to insure safety – need to minimize hazards. Evan Nikirk – All lighting problems need to be addressed in all parking lots around the county. Public Works will be coming to Board on Dec. 9th with safety issues around the county and determine in which order these projects should be done. Hazard recalls that we are paying Trindel insurance to inform us about safety issues? What are we doing with these people and are we paying them? Trindel needs to be more informative – they are reps of nine counties all together – there is a safety officer that does come and does inspection – we can ask them to look at problems (ie: parking lots) Brian Muir reports on Trindel and what their function is – they are not going to each county and inspecting each county for safety issues – we have to identify the issues and request that they come and assist us; Farnetti states that there should be a check list and things should be checked periodically. What happened to “safety committees” within each department. Marshall Rudolph reminds Board that this item is not agendaized and any further discussion should be done at an agendaized meeting.

CONSENT AGENDA

(All matters on the consent agenda are to be approved on one motion unless a board member requests separate action on a specific item.)

CLERK OF THE BOARD

- 7a) Consent Agenda - There are no items on the consent agenda.

REGULAR AGENDA

CORRESPONDENCE RECEIVED (INFORMATIONAL)

All items listed are available for review and are located in the Office of the Clerk of the Board

CLERK-RECORDER

- 8a) Antelope Valley Fire District Vacancy - Notice from Kathryn Mandichak, Chairperson, Antelope Valley Fire District Board of Commissioners regarding a vacancy on the Board of Commissioners.
Reid states that there are actually three vacancies.
- 8b) Letter from Mark Langner - Letter addressed to Mono County Board of Supervisors from Mark Langner regarding Cougar Gold.
- 8c) Alice Suszynski Letter - Letter dated October 31, 2008, from Alice Suszynski to the Mono County Board of Supervisors regarding homeowner's exemption notice.
- 8d) Letters regarding the Wild Heritage Act - Letters received November 3, 2008, addressed to the Mono County Board of Supervisors regarding the Eastern Sierra and Northern San Gabriel Wild Heritage Act.

ELECTIONS

- 9a) Certification of Elections Official (**Lynda Roberts**) - Certification of County Clerk/Registrar of Voters to the results of the canvass of the November 4, 2008 ,General Consolidated Election.

Taken off agenda
to be rescheduled
for 12/9/08

Action: Receive and approve as correct the Statement of Votes cast in the November 4, 2008, General Consolidated Election, and declare elected those offices under their jurisdiction for this election, and declare passed or failed those measures under their jurisdiction for this election, according to the number of votes for each as shown on the Statement of Votes.

PUBLIC WORKS

- 10a) Memorandum of Agreement with respect to Cultural Resources at 55 Court Street (**Kelly Garcia**) - Consideration of a MOA between Mono County, the Federal Aviation Administration, and the California State Historical Preservation Office regarding the Sturgeon property at 55 Court Street.

M08-225 **Action:** Approve and authorize the Director of Public Works to execute a Memorandum of Agreement between Mono County, the Federal Aviation Administration, and the California State Historical Preservation Office with respect to the Bryant/Sturgeon Residence at 55 Court Street.
Reid/Hazard 5-0

Additional Departments: Environmental Health

- 10b) Authorization to Bid for Landfill Closure Construction (**Evan Nikirk**) - Receive presentation by Public Works staff regarding proposed closure construction at the Bridgeport Landfill. Consider and potentially approve plans and specifications. Provide any desired direction to staff. Director will come before Board in January 2009 with bids, etc.

M08-226 **Action:** Approve plans, specifications, bid package, and related contract documents for closure construction at the Bridgeport Landfill. Authorize the Public Works Director to advertise an Invitation for Bids and to issue the project bid package.
Hunt/Farnetti 5-0

- 10c) Capital Improvement Program funding for Walker Ballfield (**Kelly Garcia**) - Designate additional \$52,000 in CIP funds to Walker Ballfield Project. Report on progress on project. Contractor will start as soon as possible after

award of contract and depending on weather. Reid asks for an additional contingency of \$18,000 in the event the project comes in over the \$52,000 amount. Farnetti asks about the ongoing maintenance of this project – what will school district do to maintain? They have agreed to perform maintenance and have hired a groundskeeper. Needs to be put in writing. Hazard feels this project got pushed to front when he has ballfield(s) in his district that needs to move ahead. Bauer asks what type of needs assessment is being done on parks/ballfields throughout the county? These things will show up on needs assessment report.

M08-227 **Action:** Designate \$52,000 of Capital Improvement Program funds to the Walker Ballfield project. With an additional \$18,000 to come out of contingency and have on hand in case of shortage and to be used only if absolutely necessary. If any of the additional \$18,000 is used a report must be made to the Board as to how it was used.

Reid/Hunt 5-0

COUNTY COUNSEL

Additional Departments: Environmental Health

11a) An Ordinance Restricting the Construction of New Wells within the Service Areas of Public Water Systems (**Allen Berrey, Assistant County Counsel Louis Molina, Environmental Health Director**) - Consider and potentially introduce, read title, and waive further reading of proposed ordinance entitled "An Ordinance of the Mono County Board of Supervisors Adding a Section to Chapter 7.36 of the Mono County Code to Prohibit the Construction of Wells within the Boundaries or Service Area of a Public Water System," and direct clerk to schedule said ordinance for adoption at the Board's next regular meeting. Receive staff report. RPACs have been notified re this. Need to hear community concerns. Bauer wants to make this community specific – Farnetti feels there are so few requests for permits and feels it is bad public policy to enact this ordinance and have to backtrack if community comments come in against this. Reid feels that community comments should be considered before enacting this ordinance. Bauer is concerned about June Lake's water supply. It is difficult to do this community by community – should be county wide. Hazard feels that he would not be able to support this in the long run. Comments from his district are not supportive. June Lake will have to be solved in a more creative way. June Lake PUD needs to drill its own wells and not look to county for help and until then they do not have authority to tell people when they can or cannot drill a well. Scott Burns suggests to scour June Lake Area Plan and see if there are any allowances; County Counsel is instructed to explore the possibility of limiting this to June Lake Area. One size fits all will not work. Moratorium in June Lake is not warranted because there is no immediate threat to water supply.
Exempt from further CEQA review and Environmental Health Director is to post

this exemption.

County Counsel agrees to research further for possible solutions. Counsel Berry will attend RPAC's to get some input. Louis Molina – situation with new well in June Lake was that this ordinance was going to stop people in their tracks from using an over abundance of water for landscaping, etc. Molina does not have authority to limit amount of water used from well – his role is in determining set backs , etc. Tom Wallace asks why a requirement can't be put on anyone requesting one – that they can only pump so much water. Molina has no authority of regulation of water over wells.

Staff is directed to explore all possibilities while gathering input from RPACS re this matter. Reid feels that all three PUD districts should get a heads up. (Bridgeport, Lee Vining and June Lake) No action of proposed ordinance will be made.

No action

Action: Introduce, read title, and waive further reading of proposed ordinance. Direct Clerk to schedule ordinance for adoption at the Board's next regular meeting.

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Board re-enters Closed Session at 12:05 p.m. (will have lunch during Closed Session)

LUNCH in Closed Session

Exit Closed Session: 1:25 p.m.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Tony Dublino from "The Sheet" announces that he has taken a job with Planning Department and relinquishes his job on Sheet to Andy

PUBLIC WORKS

Additional Departments: County Counsel, Community Development Dept.

12a)

PUBLIC HEARING – Excess Right-of-Way Vacation of a Portion of Boulder Drive (Garrett Higerd) - Receive staff report regarding the proposed vacation of excess right-of-way along a portion of Boulder Drive between Rea Drive and Garnet Drive in the Peterson Tract of June Lake. Conduct a public hearing and consider and potentially adopt a resolution vacating excess right-of-way. Direct the Clerk of the Board to record a certified copy of the resolution. Find that the above action is categorically exempt from the California Environmental Quality Act (CEQA).

Garrett Higerd addresses the Board; Notices have been posted, etc. Some public comment received – no real opposition to this proposal. This vacation will create a uniform width along Boulder Dr. Also help maximize stream side set back from Reverse Creek. This is the first of several vacation requests that are forthcoming.

Applicant Tom Davis – staff has done a good job and this is all about Reverse Creek set back

OPEN PUBLIC HEARING:
NO ONE COMMENTS
PUBLIC HEARING IS CLOSED.

Board questions.

R08-68
M08-228

Action: 1. Adopt **Resolution R08-68**, “A Resolution of the Mono County Board of Supervisors Vacating Excess Right-of-Way Along a Portion of Boulder Drive in June Lake, California”; 2. Direct the Clerk of the Board to record a certified copy of the fully executed Resolution with the County Recorder; and 3. Find that the above action is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to 14 CCR §15301 and direct the Public Works Director to file a Notice of Exemption for the project consistent with 14 CCR §15062 .

Bauer/Hunt 5-0

12b)

Construction Project Workshop (**Evan Nikirk, Kelly Garcia, Jeff Walters**) - Receive oral report from Public Works staff regarding facility construction projects currently in progress and those scheduled for completion in the near-term. Discuss and consider prioritizing additional improvement projects. Receive presentation of Public Works’ proposed construction project tracking methods.

Evan Nikirk –review of Exhibit 2; software is being explored for use with this project (Microsoft Project); Public Works will eventually have all staff working with this software; Kelly Garcia reviews Exhibit 3
Jeff Walters reviews Exhibit 1

Lt Robert Weber – re seized vehicles and a possible storage facility;

From list of potential projects do any of them make it onto the pending project list?
Board feels that anything that is general maintenance item should be done and not be put on a list. Board wants the list of “projects to be considered” to be reviewed now. Routine maintenance matters should be handled. Public Works does not have cost numbers on projects to be considered at this time. PW staff should prioritize the list and present to the Board. Dollars, schedules and priorities of PW. Inspections of every site must be done (lighting, etc) need for safety is the most important. Hazard feels that Trindel could come out and evaluate the lighting safety issues and let us know.

Evan plans to return to the Board on Dec. 9th and discuss recommended priorities. Board feels that CAO and PW should get together and decide what tasks are priorities and do them. Reid wants some assurance that between now and the time the new prioritized list is presented that the safety issues are addressed. Should get some portable lighting at the very least

3:20 p.m.

ADJOURNMENT adjourn regular meeting of November 18, 2008 **in the memory of former Public Works Director Rich Boardman**, to reconvene in a Special Meeting at 6:00 p.m. in Chalfant Valley Community Center.

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